

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 MARC D. GREENBAUM  
Supervising Deputy Attorney General  
3 GILLIAN FRIEDMAN, State Bar No. 169207  
Deputy Attorney General  
4 California Department of Justice  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2564  
6 Facsimile: (213) 897-2804

7 Attorneys for Complainant

8 **BEFORE THE**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. VN-2006-476

13 **DAISY SANCHEZ**  
3561 Los Flores Blvd.  
Lynwood, CA 90262

**A C C U S A T I O N**

14 Vocational Nurse License No. VN 175082

15 Respondent.

16  
17 Complainant alleges:

18 PARTIES

19 1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this  
20 Accusation solely in her official capacity as the Executive Officer of the Bureau of Vocational  
21 Nursing and Psychiatric Technicians (Bureau), Department of Consumer Affairs.

22 2. On or about December 15, 1995, the Bureau issued Vocational Nurse  
23 License No. VN 175082 to Daisy Sanchez, (Respondent). The Vocational Nurse License was in  
24 full force and effect at all times relevant to the changes brought herein and will expire on July  
25 31, 2009, unless renewed.

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8

2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8

5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9

6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

19  
20  
21  
22  
23  
24  
25  
26  
27  
28

20  
21  
22  
23  
24  
25  
26  
27  
28

23  
24  
25  
26  
27  
28

24  
25  
26  
27  
28

27

28

28



1                   “(b) Use any controlled substance as defined in Division 10 of the Health and  
2 Safety Code, or any dangerous drug as defined in Section 4022, or alcoholic beverages, to an  
3 extent or in a manner dangerous or injurious to himself or herself, any other person, or the  
4 public, or to the extent that the use impairs his or her ability to conduct with safety to the public  
5 the practice authorized by his or her license.

6                   “(c) Be convicted of a criminal offense involving possession of any narcotic or  
7 dangerous drug, or the prescription, consumption, or self-administration of any of the substances  
8 described in subdivision (a) and (b) of this section, in which event the record of the conviction is  
9 conclusive evidence thereof.”

10               8.       Section 490 of the Code provides, in pertinent part, that the Bureau may  
11 suspend or revoke a license when it finds that the licensee has been convicted of a crime  
12 substantially related to the qualifications, functions or duties of a licensed vocational nurse.

13               9.       California Code of Regulations, title 16, section 2521, states:

14                   “For the purposes of denial, suspension, or revocation of a license pursuant to  
15 Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or  
16 act shall be considered to be substantially related to the qualifications, functions or duties of a  
17 licensed vocational nurse if to a substantial degree it evidences present or potential unfitness of a  
18 licensed vocational nurse to perform the functions authorized by his license in a manner  
19 consistent with the public health, safety, or welfare.”

20               10.      Section 125.3 of the Code provides, in pertinent part, that the Bureau may  
21 request the administrative law judge to direct a licensee found to have committed a violation or  
22 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
23 and enforcement of the case.

24                               **FIRST CAUSE FOR DISCIPLINE**

25                               **(Conviction of a Substantially Related Crime)**

26               11.      Respondent is subject to disciplinary action under section 2878,  
27 subdivision (f) and 490 of the Code, as defined California Code of Regulations, title 16, section

28       ///



1 2521, in that Respondent was convicted of a crime substantially related to the qualifications,  
2 functions or duties of a licensed vocational nurse, as follows:

3 a. On or about December 6, 2006, Respondent was convicted by the Court  
4 on a plea of nolo contendere for violating one count of Vehicle Code section 23152(b) (driving  
5 while having 0.08% and more, by weight, of alcohol in her blood), a misdemeanor, in the  
6 Superior Court of California, County of Los Angeles, Compton Judicial District, Case No.  
7 6CP08193 entitled *The People of the State of California v. Daisy Sanchez*.

8 b. The circumstances surrounding the conviction are that on or about  
9 September 1, 2006, Respondent, drove a motor vehicle, while having 0.08% and more, by  
10 weight, of alcohol in her blood.

11 c. On or about September 15, 2004, Respondent was convicted by the Court  
12 on a guilty plea for violating one count of violating Vehicle Code section 23152(a) (under the  
13 influence of alcohol/drug in vehicle), a misdemeanor, in the Superior Court of California,  
14 County of Los Angeles, Southeast Judicial District, Case No. 4WH04269 entitled *The People of*  
15 *the State of California v. Daisy Sanchez*.

16 d. The circumstances surrounding the conviction are that on or about April  
17 25, 2004, Respondent, drove a vehicle under the influence of alcohol/drug in vehicle.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Dangerous Use of Alcohol)**

20 12. Respondent is subject to disciplinary action under section 2878,  
21 subdivision (a) of the Code, on the grounds of unprofessional conduct, as defined in section  
22 2878.5, subdivision (b), in that on or about April 25, 2004 and September 1, 2006, Respondent  
23 used alcoholic beverages to an extent or in a manner dangerous or injurious to herself and the  
24 public, when she operated a vehicle, while impaired with alcohol in her blood, as set forth in  
25 paragraph 11 above.

26 ///

27 ///

28 ///

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Conviction Involving The Consumption of Alcohol)**


3 13. Respondent is subject to disciplinary action under section 2878,  
4 subdivision (a) of the Code, on the grounds of unprofessional conduct, as defined in section  
5 2878.5, subdivision (c), in that on or about September 15, 2004 and December 6, 2006,  
6 Respondent was convicted of crimes involving the consumption of alcohol, as set forth in  
7 paragraph 11 above.

8 **PRAYER**

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
10 alleged, and that following the hearing, the Bureau issue a decision:

- 11 1. Revoking or suspending Vocational Nurse License No. 175082 issued to  
12 Daisy Sanchez.
- 13 2. Ordering Daisy Sanchez to pay the Bureau the reasonable costs of the  
14 investigation and enforcement of this case, pursuant to Business and Professions Code section  
15 125.3;
- 16 3. Taking such other and further action as deemed necessary and proper.

17 DATED: August 22, 2008

18  
19   
20 TERESA BELLO-JONES, J.D., M.S.N., R.N.  
21 Executive Officer  
22 Bureau of Vocational Nursing and Psychiatric Technicians  
23 Department of Consumer Affairs  
24 State of California  
25 Complainant